

MINUTES
AQUATICS BOARD
Tuesday, April 27, 2021
City & Borough of Juneau – Zoom Conference

Statement of Philosophy:
Create Community through People, Pools and Effective Swim Programs

- A. **Meeting Convened at 5:07pm** by Chair Muldoon.
- B. **Members Present:** Kristin Bartlett, Don Beard, Scott Griffith, Molly McCormick, Lena Merrell, Tracy Morrison, Tom Rutecki, Pat Watt.
Ex Officio: George Schaaf, Parks & Rec Director
Liaison Absent: Carole Triem – CBJ Assembly
CBJ Staff Present: Kollin Monahan, Aquatics Manager, Sarah Landen, Admin Assistant
Other: Some members of the public were present to address the Agenda item on Commercial Use
- C. **Agenda Changes** – Add Letter to Assembly under Old Business.
- D. **Approval of Minutes** –of the March 31 meeting were approved.
- E. **Public Participation on Non-Agenda Items** - None
- F. **Staff Report**
- Details are provided in the attachment
 - Attendance is picking up as Covid restrictions have been relaxed, and due to spring break. Busiest times at Dimond Park are 6-8pm, and at Augustus Brown 2-4pm. Visits by children to Dimond Park have increased.
 - The summer camp model used last year for swim lessons worked well and will be used again. Lessons are scheduled every day for two weeks (Monday-Thursday) which increases the retention of skills learned. A pretest will be given to each child to ensure the most appropriate grouping. Each session will have a maximum of 50 kids, with 3-4 in each grouping. Camps will begin June 7, with registration opening on May 17. After each session there will be a week's break during which registration for the next session will open. Registration will be online only. Lobbies will reopen on May 3 for guardians to watch their children, lobby tables will be socially distanced and masks will continue to be required when in the facility. Mr. Rutecki requested that the signage for lobby area requirements be updated and clarified. Mr. Monahan will take care of that. Parents wanting to watch from inside the natatorium will need to pay the usual admission fee, or have a pass.
 - Lifeguard training classes have begun and are being well received. The April class is filled. Registration for the May 18-20 class opens on April 28. The lecture portion of the training is being done online.
 - The fixed scheduling process seems to working well, and will remain for the summer except for expanded program offerings.
- G. **Old Business**
- **Commercial Use of Aquatics Facilities.**
 - The Board reviewed the revised draft regulations. Ms. Watt referred to Section 11 CBJAC 01.050, Permit fees. She felt that it would be an un-needed burden to have private teachers collect pool admission fees from swimmers and then submit them to CBJ. After discussion, Ms. Watt moved that the first sentence under (c) be restated as "Standard admission fees shall be paid by all participants in the

authorized activity, including the permittee” and that the first sentence under (d) be deleted. There was no objection and the amendment was adopted.

- Mr. Schaaf reviewed the regulatory process (see Attached Memo). The Assembly has empowered the Aquatics Board to adopt regulations necessary for the administration of the aquatics facilities. At its regular meeting on September 24, 2019, the Aquatics Board asked staff to draft regulations and policies regarding commercial use of municipal aquatics facilities. Pending adoption of these commercial use regulations, the enforcement of CBJ 67.01.090(i) is waived. This ordinance requires a permit for commercial use of recreation facilities (including pools) and provides a \$300 penalty for violations.
 - Draft regulations and a proposed policy were introduced at the November 19, 2019 Aquatics Board meeting. The proposed regulations were finalized at the February 25, 2020 meeting and prepared for public comment. The COVID-19 pandemic struck shortly thereafter and the proposed regulations were tabled indefinitely. The Aquatics Board resumed consideration of commercial use regulations on March 30, 2021.
 - After today’s discussion, the next step is to move forward with a public comment process. Pursuant to CBJ 01.60, public notice must be provided at least 21 days before adoption of CBJ regulations. Upon completion of public proceedings, a proposed regulation is sent to the city attorney for approval as to form and regulatory authority. After considering all of the information available, the Aquatics Board may then adopt the regulation. Regulations adopted by the Aquatics Board are then subject to review by the Assembly.
 - Mr. Muldoon pointed out that these proposed regulations are in conformity with commercial use of other Parks and Recreation facilities. He asked what happens if the Board chose to not act on the draft regulations. Mr. Schaaf thought that having moved this far into the regulatory process, a non-action by the Board would mean that private lessons would no longer be permitted in the pools.
 - Ms. Morrison asked what would be the timing for implementation. Mr. Schaaf said it would take about a week to get the draft out for public notice, then the Board would need to approve them for review by the Assembly, which would take at least a month. The soonest effective date would likely be in July. The Board will need to set the fees, probably at its next meeting.
 - Mr. Rutecki inquired as to how conflicts in the use of pool spaces would be resolved. Ms. Merrell noted that the draft regulations have language in Section 01.030 that provides for placing conditions in the permits to address this. Mr. Schaaf emphasized that the regulations are more global in nature, providing for detailed requirements to be addressed through the permitting or policy process.
- **Public Comment.**
 - Madison Bargas, a swimming instructor living in the Valley spoke. She teaches at both pools and urged the Board not to make it hard for parents to get lessons. She wondered whether parents teaching their own children would be required to get permits.
 - Emily Palmer, a parent living in North Douglas spoke. She urged the Board not to make it hard to get lessons. She couldn’t see what the problem was. She suggested the Board might better work with the Assembly to exempt this activity from being considered commercial use.
 - Ms. Merrell and Mr. Muldoon summarized the Board’s point of view. Our mission is to get as many people as possible into the pools, and to make swim classes easily available to everyone who wants to learn – through **both** private and public lessons. The fact that private lessons have been informally allowed to bypass the commercial use requirement in the past is no reason not to repair the error now.

- **Board Action.**
 - Ms. Watt moved that staff be instructed to move forward expeditiously with the 21-day public comment period on the regulations as amended today, and to bring them back for final action at the next Board meeting on May 25. Motion approved.
- **Letter to the Assembly**
 - Mr. Muldoon circulated a finalized draft letter to go to the Assembly urging their support for the pools during the budget process, and to proceed expeditiously with the planned renovation of the Augustus Brown pool. The Board approved the letter

H. New Business – None

I. Standing Agenda Item - None

J. Subcommittee Reports – Mr. Muldoon urged Board members to continue advocating for the pools throughout the remainder of the budget period. Mr. Rutecki, Mr. Griffith and Ms. Bartlett emphasized the importance of the Learn-to-Swim program through the school district, and the need to expand the existing program and also make swimming a PE option for high school kids. The Augustus Brown pool is a crucial component for Harborview and JD High School students.

K. Board Comments – None

L. Adjournment – The meeting was adjourned at 6:15pm

Meeting Follow-ups:

Mr. Schaaf and Mr. Monahan to proceed expeditiously with the 21-day public comment period.

Mr. Monahan – update and clarify signage about lobby usage for non-swimmers

Mr. Muldoon – forward the letter to the Assembly.

Mr. Schaaf and Mr. Monahan – bring back next draft of commercial use policy document and draft permit fee schedule for discussion at May 25 meeting

Upcoming Meetings:

Next Board meeting: Tuesday, May 25, 5:00pm, Zoom conference.